

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

L&T YACHT SALES, INC.,)	
Plaintiff)	
)	
v.)	C.A. NO. 05-11682-MLW
)	
POST MARINE CO., INC.,)	
Defendant)	

ORDER

February 13, 2008

For the reasons stated in court on February 12, 2008, it is hereby ORDERED that:

1. By 4:30 p.m. on February 14, 2008:

a. The parties shall report whether the case has settled.

b. Plaintiff L&T Yacht Sales, Inc. shall file proposed jury instructions including citations to authorities.

c. The parties shall jointly file a complete set of proposed trial exhibits, including brief statements of any objections.

d. The parties shall report whether Cortez Marks will testify. If not, the parties shall file a copy of Mr. Marks's deposition transcript, indicating which portions each proposes to introduce, and noting any objections to those proposals and, briefly, the bases for the objections.

e. The parties shall jointly file any stipulations of fact.

2. Todd Hamilton and Larry Soule shall be present at 9:00 a.m. on February 19, 2008, for a voir dire concerning Mr. Soule's

proposed testimony. Mr. Hamilton shall also be prepared to testify at a voir dire concerning the photographs allegedly produced to Post during discovery.

3. If a settlement is reached after 4:30 p.m. on February 15, 2008, the parties shall advise the court immediately by email, fax, and/or telephone at the numbers and address provided.

/s/ Mark L. Wolf
UNITED STATES DISTRICT JUDGE